

## **REMARKS**

The Examiner has requested corrected drawings to make the handwriting appearing thereon to be clearer. Submitted herewith are proposed replacement drawings with the notations thereon being placed in clearer form. Upon allowance of the application, formal drawings having corresponding improved legibility will be submitted.

The Examiner has also requested a revised Abstract, as the Abstract of record is in excess of 150 words. Applicant has complied. Applicant has also corrected the specification at page 3, line 25 to remove the extraneous "d".

The claims of the application have been rejected under 35 U.S.C. 103 as being obvious and unpatentable over Bobrow et al '308 in view of Poor '060 (claims 1-3, 5-7, 10, 12, 14 and 16). The remaining claims of the application have been similarly rejected as unpatentable over the combination of Bobrow et al and Poor, combined with additional secondary references. Applicant respectfully seeks reconsideration of the rejections in view of the following argument in conjunction with the submitted claim amendments.

The present invention provides a methodology for generating, storing and sharing information in an educational environment. It provides a mechanism for interfacing traditional, well established teaching protocols incorporating the use of printed materials provided to students and then individually reviewed and graded by the teacher with electronic environment that allows the materials to be stored, reviewed and shared in a secure manner.

Towards that end, and as recited in independent claim 1, gradable material (such as a test) is disseminated to a student, who then enters gradable data (answers) directly on the material. The material is then collected and the teacher grades the material, entering review data, such as a grade, comments, and corrections, directly upon the collected copy of the gradable material. The data entered by the teacher is in a machine-readable format. An image of the gradable material, including the review data applied by the educator, is then captured and stored in an electronic folder associated with the student through a student identification code.

The stored image can then be accessed by authorized viewing parties, including the student, the teacher, school officials and the student's parents. The image is identical in appearance to the original graded document, so that there is no question as to its accuracy. This methodology, whereby electronic storage is integrated with traditional review and grading techniques, is neither taught nor suggested by the art of record.

In particular, Bobrow et al '308, while disclosing a paper-based, interactive system, relies on computer-based document generation and review, and thus is in the nature of a stand-alone system, as opposed to the methodology set forth in the present invention which can be implemented and incorporated into current individualized grading routines. Bobrow et al '308 does not teach or suggest that teacher-generated review data is placed directly upon the collected gradable material. Rather, Bobrow et al '308 provides for computer-assisted review of an image of the original material, followed by the generation of an independent document, such as a "history test grade report" (see Bobrow et al Fig. 10) that may be printed and distributed to the student.

Thus, while Bobrow et al may provide for a level of standardization for the form of teacher review and analysis, it fails to either appreciate or allow the teacher to make marks directly upon the original gradable material as recited in claim 1.

This distinction is important. For example, in grading an essay a teacher normally circles misspelled words, draws arrows to show how sentences or paragraphs might be rearranged, adds question marks to question the logic or basis for an assertion, and in general provides editing guidelines for the student directly upon the document. Similarly, with respect to a math test, the teacher often corrects numbers and/or rewrites formulas next to the (improper) formula proposed by the student. The present invention allows the teacher to grade the paper in the conventional manner. Once the grading is completed making an image of the gradable material, with all the teacher's grading notations thereon, is made for storage in the system. The original paper, with the teacher's notations thereon, can then be returned to the student in the conventional manner. The present invention further has the capability of allowing the teacher to use colored markings, highlighting and the like. While the original graded material is returned to the student, the electronic copy is maintained by the support system for controlled viewing. Bobrow et al '308 offers no suggestion whatsoever that the teacher can use a free form grading or marking system, or that such grading is applied directly to the original document for return to the student.

Poor '060, while teaching a system in which images of graded material are captured and stored, provides such a mechanism in the context of allowing multiple graders or scorers to independently view the same document for grading purposes. Once again, it neither teaches nor suggests that a grader apply grading materials directly to the original grading document for

subsequent scanning and then return to the student. Indeed, the Poor graders appear to never have access to the original document.

The cited Kraft '305 reference, while teaching the use of labeling with machine readable codes in connection with gradable material, describes an environment for allowing multiple readers or graders to evaluate the same test without influencing the other. While in that case the original document, with a label applied, appears to be received by a grader, the grader still does not affix any grading information to the original paper itself, but rather records his or her grade observations separately into a database, after scanning the test paper's identification data from the applied label. The material to be graded is then passed on to another grader who similarly grades the material and passes it down the line. Indeed, as multiple graders are assigned to the same student's work in both Kraft and Poor, it would be contrary to the intent of either disclosure to have the grading comments of an individual grader placed on the original document such that it could possibly influence the grading of a subsequent reviewer. Neither reference supplies the methodology missing from Bobrow et al. Neither Bobrow et al, Poor or Kraft, either alone or in combination, teach or suggest the vital step of placing the review material directly upon the original document, which allows the teacher/grader to do his or her analysis in a conventional method, well recognized and accepted by the students. Neither Romano '595 nor Housman '340 add anything substantive to the cited art with respect to this primary aspect of the present invention and thus need not be discussed.

As the substantial distinction set forth above between the present invention and Bobrow et al '308 (as well as Kraft and Poor) is contained in independent claim 1, and all other claims of the application are dependent thereon, all claims of the application are allowable.

Applicant wishes to further dispute the rejection of claim 2, in that the Examiner asserts that Bobrow et al '308 discloses the step of locating a label on the gradable material and placing review data upon the label. Bobrow et al '308, particularly at the locations identified by the Examiner, discusses only that the (original educational material accepts user-imparted marks (col. 5, lines 9-14), that the areas on the educational material for entry of various materials may overlap (col. 5, lines 21-26) and that, during the analysis step, the teacher can print out the exam sheets, sorted by question, each newly-printed document having a set of check boxes associated with rubrics to assist the teacher in marking **standard aspects of the exam** (col. 10, lines 35-40). Such passages do not teach the application of a label directly upon the original document upon which grading material is placed as recited by claim 2. Indeed, the rubric printed, after being marked by the teacher, is then re-scanned and the test reconstructed from the images having the marked rubric, along with other links, with the comments from the teacher. Once again, Bobrow et al converts the teacher's specific thoughts and comments into a series of formulized responses. Claim 2 has been amended to clarify that the actual review data generated by the teacher is placed upon a label and the label is affixed to the collected gradable material. Bobrow et al offers no teaching or suggestion of such a step.

In view of the foregoing, withdrawal of all rejections and passage to allowance of all claims  
is solicited.

Respectfully submitted,

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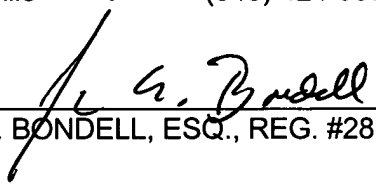
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